

The Chair, Jenifer Landman, called the scheduled public session to order at 7:00pm. Those present included Lloyd Sullivan, Allen Hines (selectmen) and Russell McAllister, (Town Administrator).

**Dennis Mires    CANCELLED**

*a.    Municipal Complex / Elevator Update*

**Mosquito Spray Program Update**

*a.    Michael Morrison / Municipal Pest Management*

Mr. Morrison briefed the Board regarding the recent town-wide spraying program (combination larvicide & adulticide). Mr. Morrison explained that he had used two trucks to conduct the spraying (adulticiding) during the evening of August 21st so that the whole town could be completed in one evening. Mr. Morrison answered questions regarding the salt marsh larviciding. It was explained that the marsh restoration project was a success and as a consequence much of the red maple stands were dying off because of the salt water tidal flushing. Field crews confronted several challenges as they labored to larvicide the marsh. Decaying organic matter that is best characterized by muck, mud, and ooze surrounded the decaying red maple stands within the marsh which created an accessibility issue for the field crews responsible for applying the liquid bacterium (larvicide). The very high temperatures caused by the heat wave affected the bacterium, too. The Bacterium is also a living organism and high ambient temperatures reduce its effectiveness as a mosquito larvicide. However, Mr. Morrison noted that the red maple die off within the marsh also reduced the habitat of *culex pipiens*, the principle species capable of vectoring west Nile virus. Mr. Morrison went on to explain that at this point in the Mosquito Program habitat mapping was largely completed, the catch basin larviciding program was ongoing, the salt marsh mapping and larviciding was in place and truck spraying (adulticiding) was in place and developing. The TA noted that funding for the program was in place as well as the necessary annual permitting process.

**Selectmen Issues**

*New Employees Announcement – Planning & Zoning Administrator & Receptionist*

Ms. Landman announced the addition of two employees recently hired by the Board. Ms. Krystina Arrain and Ms. Denise Grimse, Planning & Zoning Administrator and part-time receptionist respectively.

*Part-Time Police Officer*

Police Chief Brian Page introduced the new part time police officer. Officer Tom Boynton was currently working as a full time Lieutenant in Hampton Falls and was helping the department during the staffing shortage caused the National Guard activation.

*North Hill Tree Inventory Report – Stan Knowles & Shirley Carter*

Ms. Carter noted that Stanley Knowles was unable to attend, but AJ Dupre, from the State's Forest & Lands, was kind enough to stand in and explain the project for the North Hill Common trees. Mr. Dupre explained that many of the trees were in need of pruning to rid the stems of dead branches. The soil was also in need of aeration in areas around the common. The tree inventory was an outreach program by the Urban Forestry Center that allowed locally trained volunteers (tree stewards), of which Ms. Carter was one, to conduct a tree health inventory with the aid of a practicing forester. The Board agreed to fund the costs of the program up to five hundred dollars.

*Town Website Status*

Ms. Landman noted that Mr. Landman, Chair of the CBT committee, was still working on the project and that progress was steady.

#### *Cedar Road Bridge Status*

The TA reported that he had received a call from a DOT bridge foreman reporting that work on Cedar Road Bridge was scheduled to begin after the Labor Day holiday. Ms. Landman noted that additional signaling might be necessary after the bridge was repaired.

#### *Budget Committee Request*

Mr. Sullivan noted that the Budget Committee was requesting a detailed quarterly report of expenditures and explanations of any line item transfers. The Budget Committee was also requesting to be present at the reading of the audit. The TA agreed to furnish the report beginning in October noting that his last day was September 20<sup>th</sup>. The TA explained that line item transfers within an account group is rare, but that transfers from one account group to another required authorization from the BoS. The auditors looked for the document granting authority for transfers from one account group to another. The TA also explained that audited financial statements are completed annually along with a management letter, which suggested improvements to internal financial controls. Audited financial statements were readily available to anyone.

#### *Policy Development Discussion – Personnel Policy Update / Legal Access Policy*

Ms. Landman spoke to the need for updating several policies noting that the Board was now reviewing a personnel policy in place for the Town of Littleton. Ms. Landman noted that the Town's Attorney had accepted the signed legal release from Ms. Judy Day. Ms. Landman spoke to the need of having in place a legal access policy for town volunteers. Mr. Hines spoke of the need to protect town volunteers from scurrilous legal actions aimed at subverting the democratic process. There was a general agreement among members to meet with the Town Attorney to craft such a policy.

#### *Route 1 Ordinance Enforcement*

Ms. Landman spoke of her concerns regarding enforcement issues along Route 1, particularly temporary signage and setbacks for car dealerships.

#### **Questions & Comments**

The issue of scenic roads was shaken out of hibernation. It was suggested that all roads within the Town were scenic. Discussion about the legal process by which roads become scenic was discussed.

Mr. Peter Simmons expressed consternation, dismay and outrage that he had been removed from the agenda and he demanded an answer. Ms. Landman noted that she prepared the agenda and decided that his concerns could be addressed in the Questions & Comments section of the meeting rather than as a specific agenda item. Mr. Simmons reiterated his complaint, but was urged to move on to the substance of his issue. Mr. Simmons was dismayed and voiced his disagreement with the Board's decision to reimburse Ms. Day for her legal fees noting that Ms. Day was not acting in her official capacity at the time trespassing charges were brought forward by Mr. Jones. Long discussion ensued regarding the issue with many in the audience complaining over tax money being used to reimburse an individual for legal fees. Mr. Simmons noted that a previous Board had voted not to vote on the issue and that a good deal of time had passed. Mr. Simmons contended that the decision to now approve reimbursement of legal expenses was because of a threat of a lawsuit. Mr. Hines noted that the decision to reimburse was based on supporting the democratic process that Board members thought was being undermined by questionable motives behind legal actions taken against Ms. Day because of her position on the planning board. Ms. Downey objected noting that the decision to reimburse legal fees was undermining the process. Mr. Iafolla asked by what authority the Board approved such reimbursement. Ms. Landman answered that the Board controlled the purse strings. Mr. Iafolla asked whether any legal opinions from Town Counsel were solicited on this issue. Mr. Hines replied that none were solicited. Mr. Neves complained that the decision to reimburse Ms. Day for legal expenses was not listed as an agenda item. Ms. Landman noted that the BOS meetings were conducted in public and open for comments and questions and posted prior to meetings. The Board emphasized that the vote to reimburse

Ms. Day for legal fees was to protect volunteers serving on Boards from questionable legal attacks designed to subvert and unduly influence the impartiality and independence of the decision making process among individual board members. Mr. Sullivan noted that he was the lone dissenter on reimbursing Ms. Day for her legal fees, but he stated that he would support the decision of the Board.

Mr. Hines brought up the issue of the elevator and made the motion to accept the low bid (Horne Construction) and get the ball rolling to meet the ADA requirements. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

Mr. Hines noted that with the impending departure of the TA it was necessary to begin a search for a replacement. He noted that the NHMA provided a recruitment service (PRS) and charged approximately \$2,000. The previous recruitment had been handled by the NHMA and had proved successful. Mr. Hines made the motion to contract with NHMA's PRS for recruitment services for filling the TA position. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

Mr. Jon Rineman (Budget Committee member) spoke to the issue of the Recreation Director's pay. He noted that the budgeted salary increase was \$40,000, but that the Board had not raised the salary of the Recreation Director to that budgeted increase despite a successful performance review. Ms. Landman noted that the Board set the rates of pay and believed that the 8% pay increase allotted to the salary increase was sufficient and greater than the 3% given other department heads. Some heated exchanges occurred regarding the issue and the prerogatives of the Board of Selectmen and the Budget Committee.

Mr. Sullivan made the motion to approve the meeting minutes of July and August as revised. Mr. Hines seconded the motion. The vote was unanimous and so moved.

The selectmen reviewed correspondence and/or signed:

#### **Administration/Business**

- a. Minutes
- b. Payroll
- c. Manifest
- d. Veterans Exemption – Jack Jaeckel
- e. Oil Bids

The Board reviewed the oil bids listed below.

<b>Company</b>	<b>No. 2</b>	<b>Kerosene</b>
Lamprey Brothers	.889	1.099
Rye Fuels	.918	1.249
Seacoast Fuels	.95	1.25

Mr. Hines made the motion to accept the low bid from Lamprey Brothers. Mr. Sullivan seconded the motion. The vote was unanimous and so moved.

There being no further business to come before the Board Mr. Hines made a motion to adjourn. Ms. Landman seconded the motion. The vote was unanimous and so moved. The public meeting adjourned at

Selectmen's Minutes  
26 August 2002  
7:00pm

approximately 9:09pm. Ms. Landman made the motion to enter into non-public session under RSA 91-A:3 II (a) to discuss personnel issues. Mr. Hines seconded the motion. The vote was unanimous and so moved.

Respectfully,

Russell McAllister  
Town Administrator